

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

YAZMIN GONZALEZ, individually and
behalf of classes of all persons and entities
similarly situated,

Plaintiff,

v.

AMERICAN-AMICABLE LIFE
INSURANCE COMPANY OF TEXAS,

Defendant.

Case No. 1:24-cv-00065-RP

**DEFENDANT’S UNOPPOSED MOTION FOR AN EXTENSION
OF TIME FOR TO ANSWER, MOVE OR OTHERWISE RESPOND TO COMPLAINT**

Defendant American-Amicable Life Insurance Company of Texas (“Defendant”), by and through its undersigned counsel, hereby respectfully submits this **unopposed** motion for an extension of time to answer, move, or otherwise respond to Plaintiff’s Complaint (*see* Dkt. 1, “Complaint”) in the above-referenced matter **to and including April 8, 2024**. In support thereof, Defendant states as follows:

1. Plaintiff filed his Complaint against Defendant on January 22, 2024. *See* Dkt. 1.
2. Defendant waived service of process on January 25, 2024, making its initial responsive pleading deadline March 25, 2024, which is the *current* deadline. *See* Dkt. 5.
3. Defendant’s counsel have several professional and personal scheduling conflicts (including out-of-town commitments and foreign travel, during which they will be unavailable) with the current responsive pleading deadline, and thus require additional time to adequately investigate Plaintiff’s claims, prepare the appropriate responsive pleading(s) if necessary, and (if appropriate) continue discussions regarding an extra-judicial resolution with Plaintiff, which may obviate the need for responding to the Complaint altogether.

4. Given the foregoing, Defendant seeks a modest extension of time to and including April 8, 2024, to answer, move, or otherwise respond to the Complaint.

5. Defendant has not previously requested an extension in this matter.

6. On March 15, 2024, counsel for Defendant conferred with counsel for Plaintiff regarding this Motion prior to its filing, who confirmed in writing the same day that Plaintiff agrees to, has no objection to, and does not oppose the requested extension.

7. Good cause exists for granting Defendant's request for at least the reasons above, and because the requested extension will promote efficiency and judicial and party economy.

8. Since this matter was just recently filed and is in its early stages, Plaintiff is in agreement, and there are no other parties to this case, the requested extension will not result in any prejudice nor impact the timely resolution of this case.

9. The foregoing request is not being made for the purpose of delay, is being made for the purpose of judicial and party economy, and will not prejudice any party to this action.

10. In seeking this extension, Defendant does not concede that it has been properly named in this action, and Defendant does not waive and expressly reserves all defenses relating to the Complaint, including jurisdictional defenses or the right to move to compel arbitration, if and when it is determined there is an applicable arbitration agreement between the parties.

11. A proposed order has been provided herewith for the Court's consideration.

WHEREFORE, Defendant respectfully requests this Court enter the proposed order, or a substantially similar order, (i) granting Defendant an extension of time to answer or otherwise respond to the Complaint in this action **to and including April 8, 2024**; and (ii) granting all other relief the Court deems just and proper.

Dated: March 18, 2024

Respectfully submitted,

HUSCH BLACKWELL LLP

By: /s/ Ryan A. Burgett
Ryan A. Burgett, TN BAR No. 33641
736 Georgia Avenue, Suite 300
Chattanooga, TN 37402
Tel: (423) 266-5500
Fax: (423) 266-5499
ryan.burgett@huschblackwell.com

John W. McGuinness (*Pro Hac Vice* to be requested)
A. Paul Heeringa (*Pro Hac Vice* to be requested)
MANATT, PHELPS & PHILLIPS, LLP
1050 Connecticut Avenue, NW, Suite 600
Washington, D.C. 20036
Telephone: 202-585-6500
Facsimile: 202-585-6600
jmcguinness@manatt.com
pheeringa@manatt.com

Attorneys for Defendant

CERTIFICATE OF SERVICE

I certify that on, March 18, 2024, a true and correct copy of the foregoing document was electronically filed with the Court's ECF system to be sent via the electronic notification system to all counsel of record in the above-captioned matter.

By: /s/ Ryan A. Burgett
Ryan A. Burgett